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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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9 JUNGO LAND & INVESTMENTS, INC. a
10 Nevada corporation,

CASE NO.: 3:10-cv-00257-RCJ-VPC

11 Plaintiff-Petitioner,

12 vs.

**AMENDED ORDER
GRANTING JUNGO's
WRIT PETITION**

13 HUMBOLDT COUNTY BOARD OF COUNTY
14 COMMISSIONERS and HUMBOLDT
15 COUNTY, a political subdivision of the State of
16 Nevada, CHUCK GIORDANO, in his individual
17 and official capacity as Humboldt County
18 Commissioner, MIKE BELL, in his individual
19 and official capacity as Humboldt County
20 Commissioner, DAN CASSINELLI, in his
21 individual and official capacity as Humboldt
22 County Commissioner, GARLEY AMOS, in his
23 individual and official capacity as Humboldt
24 County Commissioner, TOM FRANSWAY, in
25 his individual and official
26 capacity as Humboldt County Commissioner

27 Defendants-Respondents
28 _____ /

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30 Before the Court is Plaintiff-Petitioner Jungo Land & Investments, Inc.'s ("Jungo")
31 motion entitled "Motion to Clarify December 7, 2011 Order Granting Jungo's Writ Petition"
32 (Dkt. #173, referred to herein as "Motion to Clarify"). On December 7, 2011, the Court entered
33 an Order granting Jungo's Petition for Writ of Mandamus, or in the alternative, Writ of
34 Prohibition ("Writ Order" Dkt. #149). Defendants-Respondents Humboldt County et al.
35 appealed the Writ Order to the Ninth Circuit Court of Appeals. Thereafter, the parties filed a

1 stipulated motion to dismiss the appeal without prejudice to reinstatement so that Jungo could
2 seek clarification from this Court as to whether tolling principles applied to the relief granted in
3 the Writ Order.

4 GOOD CAUSE APPEARING THEREFOR, Jungo's Motion to Clarify is hereby
5 GRANTED.

6 The Court's December 7, 2011 Order granting Jungo's Petition for Writ of Mandamus, or
7 in the alternative, Writ of Prohibition (Dkt. #149) is hereby AMENDED to add the following
8 language in bold:

9 IT IS FURTHER ORDERED that Defendants:

10 (1) vacate the BCC's decision reversing the Regional Planning Commission's
11 five-year extension of the Jungo CUP; (2) dismiss the Dolan Appeal with
12 prejudice based on the BCC's lack of jurisdiction to hear the appeal; and (3)
13 reinstate the Regional Planning Commission's February 11, 2010 decision
14 granting Jungo a five-year CUP extension, **with the effective date of the
extension being December 7, 2011, the date upon which the Court granted
Jungo's Petition for Writ of Mandamus, or in the alternative, Writ of
Prohibition.**

15 This Order is made without prejudice to Jungo seeking addition tolling time if the appeal of the
16 Writ Order is reinstated.

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18 IT IS SO ORDERED.

19 DATED June 12, 2012

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21 UNITED STATES DISTRICT JUDGE
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